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Of Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

LAURIE JONES, individually, and as  
Personal Representative of the ESTATE OF  
CHRISTOPHER JONES, deceased,

Plaintiff,

vs.

CIRRUS DESIGN CORPORATION and  
AVIDYNE CORPORATION,

Defendants.

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CIRRUS DESIGN CORPORATION,

Third-Party Plaintiff,

vs.

JENNIFER S. LINCK or JANE DOE or  
JOHN DOE, who may be appointed as  
personal representative of the Estate of  
PAUL SCHIOLER-LINCK,

Third-Party Defendant.

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Case No. CV 06-1656 ST

**PLAINTIFF'S CORRECTED MOTION  
TO UNSEAL UNREDACTED  
MEMORANDUM OF LAW IN SUPPORT  
OF PLAINTIFF'S MOTION FOR AN  
ORDER TO SHOW CAUSE WHY  
AVIDYNE SHOULD NOT BE HELD IN  
CONTEMPT AND HAVE DEFAULT  
JUDGMENT ENTERED AGAINST IT;  
AND TO UNSEAL DOCUMENTS FILED  
IN SUPPORT OF PLAINTIFF'S  
MOTION FOR AN ORDER TO SHOW  
CAUSE WHY AVIDYNE SHOULD NOT  
BE HELD IN CONTEMPT AND HAVE  
DEFAULT JUDGMENT ENTERED  
AGAINST IT**

**CERTIFICATE OF COMPLIANCE WITH L.R. 7.1**

In compliance with L.R. 7.1, plaintiff Laurie Jones' counsel hereby certifies that counsel have made a good faith effort to resolve this dispute and have been unable to reach agreement. Defendant Avidyne Corporation (Avidyne) has refused to consent to its documents that are the subject of this motion being unsealed, or to Plaintiff's memorandum of law which quotes from them.

**MOTION**

Plaintiff moves to unseal the unredacted version of the memorandum of law in support of her motion for an order to show cause why Avidyne should not be held in contempt and have default judgment entered against it, which was filed under seal earlier today. This unredacted version of her memorandum of law was filed under seal because it contained very limited quotations from Avidyne's newly produced Tiger Team documents, which Avidyne marked as "Confidential", in order to be in compliance with Paragraph 6 of the protective order in this case (Dkt. 105), requiring such designated documents to be filed under seal.

Plaintiff also moves to unseal the seven documents she filed under seal today in support of her motion for an order to show cause why Avidyne should not be held in contempt and have default judgment entered against it. Specifically plaintiff seeks an Order to unseal documents numbered Avidyne 33447, 33448, 33450, 33464, 33499, 33505. Again, plaintiff filed these documents in support of her motion in order to be in compliance with Paragraph 6 of the protective order (Dkt. 105), because Avidyne had marked the documents "Confidential."

As grounds for this motion plaintiff states that there is no "good cause" to keep the quotations or documents secret. The documents and quotations do not contain information that the defendant has a "protectable interest" in. (*Id.* at page 2, ¶ 1). More importantly Avidyne

cannot bear its burden in showing “compelling reasons” to keep these documents from public view which are filed in relation to dispositive motions. *See Pintos v. Pacific Creditors Ass’n*, 565 F.3d 1106, 1115-16 (9th Cir. April 30, 2009).

In further support of this Motion to unseal various documents and file an unredacted memorandum of law, plaintiff relies upon her Memorandum in Support, filed herewith.

Dated this 1st day of February, 2010.

Douglas P. Desjardins (*pro hac vice*)  
CLAPP, DESJARDINS & ELY, PLLC and  
Robert B. Hopkins  
LANDYE BENNETT BLUMSTEIN LLP

By: s/ Robert B. Hopkins  
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Douglas P. Desjardins  
*Of Attorneys for Plaintiff*